

1 Jacob L. Houmand, Esq. (NV Bar No. 12781)
 2 Email: jhoumand@houmandlaw.com
 3 Bradley G. Sims, Esq. (NV Bar No. 11713)
 4 Email: bsims@houmandlaw.com
 5 HOUMAND LAW FIRM, LTD.
 6 9205 West Russell Road, Building 3, Suite 240
 7 Las Vegas, NV 89148
 8 Telephone: 702/720-3370
 9 Facsimile: 702/720-3371

Electronically Filed On: October 20, 2022

10 *Counsel for Shelley D. Krohn, Chapter 7 Trustee*

11 **UNITED STATES BANKRUPTCY COURT**

12 **DISTRICT OF NEVADA**

13 In re:

14 LAS VEGAS LAND PARTNERS, LLC,

15 Debtor.

16 Case No. BK-S-19-15333-MKN
 17 Chapter 7

**FIRST INTERIM APPLICATION OF
 ALISA NAVE, LLC FOR ALLOWANCE
 OF COMPENSATION FOR SERVICES
 RENDERED DURING THE PERIOD
 FROM JULY 14, 2022 THROUGH
 SEPTEMBER 30, 2022 AND FOR
 REIMBURSEMENT OF EXPENSES
 PURSUANT TO 11 U.S.C. §§ 330 AND 331
 AND FEDERAL RULE OF
 BANKRUPTCY PROCEDURE 2016**

18 Date of Hearing: December 1, 2022

19 Time of Hearing: 11:00 a.m.

20 Place: Courtroom No. 2, Third Floor
 Foley Federal Building
 300 Las Vegas Blvd., S.
 Las Vegas, NV 89101

21 Judge: Honorable Mike K. Nakagawa¹

22 _____
 23 Shelley D. Krohn (the “Trustee”), the Chapter 7 Trustee appointed in the above-captioned
 24 adversary proceeding, hereby submits this *First Interim Application of Alisa Nave, LLC for*

25 _____
 26 ¹ Unless otherwise indicated, all chapter and section references are to the Bankruptcy Code, 11
 27 U.S.C. §§ 101-1532, and to the Federal Rules of Bankruptcy Procedure, Rules 1001-9037. The
 28 Federal Rules of Civil Procedure will be referred to as “FRCP” and the Federal Rules of
 Bankruptcy Procedure will be referred to as “FRBP.” The Local Rules of Practice for the United
 States Bankruptcy Court for the District of Nevada shall be referred to as the “Local Rules”.

1 *Allowance of Compensation for Services Rendered During the Period From July 14, 2022*
 2 *Through September 30, 2022 and For Reimbursement of Expenses Pursuant to 11 U.S.C. §§ 330*
 3 *and 331 and Federal Rule of Bankruptcy Procedure 2016* (the “Fee Application”).

4 The Fee Application is filed pursuant to Sections 330 and 331, FRBP 2002(a)(6) and
 5 *2016, the Guidelines for Compensation and Reimbursement of Professionals in Region 17 as*
 6 *promulgated by the Offices of the United States Trustee* (the “Region 17 Guidelines”), and the
 7 *Guidelines for Reviewing Applications for Compensation and Reimbursement on Expenses Filed*
 8 *Under 11 U.S.C. § 330 effective January 30, 1996* (the “U.S. Trustee Guidelines”). The Fee
 9 Application is also based upon the following Memorandum of Points and Authorities, the
 10 *Declaration of Shelley D. Krohn In Support of First Interim Application of Alisa Nave, LLC for*
 11 *Allowance of Compensation for Services Rendered During the Period From July 14, 2022*
 12 *Through September 30, 2022 and For Reimbursement of Expenses Pursuant to 11 U.S.C. §§ 330*
 13 *and 331 and Federal Rule of Bankruptcy Procedure 2016* (the “Trustee Declaration”), and the
 14 *Declaration of Alisa Nave In Support of First Interim Application of Alisa Nave, LLC for*
 15 *Allowance of Compensation for Services Rendered During the Period From July 14, 2022*
 16 *Through September 30, 2022 and For Reimbursement of Expenses Pursuant to 11 U.S.C. §§ 330*
 17 *and 331 and Federal Rule of Bankruptcy Procedure 2016* (the “Nave Declaration”), both of
 18 which are filed separately and concurrently with this Court pursuant to Local Rule 9014(c)(2).
 19 The Application is also based on the pleadings and papers on file herein and any argument that
 20 may be presented at the hearing on the Fee Application.²

21 ...

22 ...

23 ...

24 ...

25 ...

27 ² The Trustee also requests that the Court take judicial notice of all pleadings filed in the above-
 28 referenced bankruptcy case, including adversary proceedings, pursuant to Rule of Evidence 201,
 incorporated by reference by FRBP 9017.

1	Name of Firm:	Alisa Nave, LLC
2	Authorized to Provide Professional Services to:	Shelley D. Krohn, Chapter 7 Trustee
3		
4	Date of Retention:	July 14, 2022 ³
5		
6	Period for which Compensation and Reimbursement is Sought	July 14, 2022, through September 30, 2022
7		
8	Amount of Compensation Requested:	\$2,295.00
9	Amount of Expense Reimbursement Requested:	\$0.00
10		
11		
12		
13	This is an: <input checked="" type="checkbox"/> interim _____ final application.	
14	This is the first interim Fee Application filed by Alisa Nave, LLC in this case.	
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		
26	_____	
27	³ July 28, 2022, the Court entered an <i>Order Granting Application to Employ ALISA NAVÉ, LLC as Consultant for Shelley D. Krohn, Chapter 7 Trustee, Pursuant to 11 U.S.C. §§ 327(e) and 328(a) and Federal Rule of Bankruptcy Procedure 2014</i> [ECF No. 123].	
28		

BILLING SUMMARY**Prior Applications: None****Fees**

Fees Previously Requested	0.00
Fees Previously Awarded	0.00

Expenses

Expenses Previously Requested	0.00
Expenses Previously Awarded	0.00

Retainer Paid:	0.00
----------------	------

Drawn on Retainer:	0.00
--------------------	------

Remaining Retainer:	0.00
---------------------	------

Current Application Fees from July 14, 2022 through September 30, 2022, Requested:	\$2,295.00
---	------------

Current Application Expenses July 14, 2022 through September 30, 2022, Requested:	\$0.00
--	--------

HOUMAND LAW FIRM, LTD.9205 West Russell Road, Building 3, Suite 240 Las Vegas, NV 89148
Telephone: (702) 720-3370 Facsimile: (702) 720-3371

**FIRST INTERIM APPLICATION OF
ALISA NAVE, LLC
SUMMARY OF PROFESSIONALS
JULY 14, 2022 THROUGH SEPTEMBER 30, 2022**

NAME	TITLE	HOURLY RATE	HOURS	TOTAL FEE
Alisa Nave	Partner	\$750.00	7.65	\$2,295.00
TOTAL				\$2,295.00

HOUMAND LAW FIRM, LTD.

9205 West Russell Road, Building 3, Suite 240 Las Vegas, NV 89148
Telephone: (702) 720-3370 Facsimile: (702) 720-3371

MEMORANDUM OF POINTS AND AUTHORITIES

I.

INTRODUCTION

4 Alisa Nave, LLC (the “Firm”), the political and public policy consultant employed by the
5 Trustee in the above-captioned chapter 7 case (the “Bankruptcy Case”), hereby submits this Fee
6 Application for services rendered in the Bankruptcy Case during the period from July 14, 2022,
7 through September 30, 2022 (the “Fee Application Period”). The Firm was hired on an hourly
8 basis and has incurred professional fees in the amount of \$5,737.50. The Trustee, however, is
9 only required to pay forty percent (40%) of the professional fees incurred by the Firm, which
10 equals \$2,295.00. The remaining sixty percent (60%) of the professional fees incurred by the
11 Firm will be paid by Forest City Realty Trust, LLC (“Forest City”).

12 The Firm requests an order: (i) approving and allowing on an interim basis compensation
13 in the amount of \$2,295.00, for the reasonable and necessary services of the Firm during the Fee
14 Application Period; (ii) approving and allowing on an interim basis reimbursement of expenses in
15 the amount of \$0.00 that were incurred during the Fee Application Period; and (iii) authorizing
16 the Trustee to pay such amounts to the Firm. The Firm believes that the services it rendered to
17 the Trustee during the Fee Application Period benefited the Debtor's estate and that, therefore, the
18 fees and costs requested in this Fee Application should be approved under Section 330(a). The
19 Trustee is currently holding funds in the amount of \$106,724.87.

II.

JURISDICTION AND VENUE

22 1. This Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1134.
23 This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2)(A). The statutory basis for the relief
24 sought are Sections 330, FRBP 2016, and Local Rule 2016. Venue before this Court is
25 appropriate under 28 U.S.C. §§ 1408 and 1409.

26 2. This matter constitutes a core proceeding under 28 U.S.C. § 157(b)(2). Pursuant to
27 Local Rule 9014.2, if the Court determines that absent consent of the parties the Court cannot
28 enter final orders or judgment regarding the Fee Application consistent with Article III of the

1 United States Constitution, the Firm consents to entry of final orders and judgment by this Court.

2 **III.**

3 **STATEMENT OF RELEVANT FACTS**

4 3. On August 19, 2019, Las Vegas Land Partners, LLC (the “Debtor”) filed a
5 voluntary bankruptcy pursuant to Chapter 7 of Title 11 of the United States Code [ECF No. 1].⁴

6 4. On August 19, 2019, the Trustee was appointed as the Chapter 7 Trustee in the
7 Debtor’s bankruptcy case [ECF No. 2].

8 5. On October 3, 2019, the Debtor filed its bankruptcy schedules [ECF No. 20].

9 6. The Debtor’s Schedule A/B did not identify any real or personal property. *See*
10 Schedule A/B [ECF No. 20], pp. 3-5.

11 7. The Debtor is the sole member of Wink One, LLC (“Wink One”) that, in turn,
12 owns a forty percent (40%) tenant-in-common interest in the real property described as: the city
13 block bounded by Casino Center, Bonneville, South 1st and Garces Streets, Las Vegas, Nevada
14 [APN 139-34-301-008] (the “Property”).⁵

15 8. The remaining sixty percent (60%) tenant-in-common interest in the Property is
16 owned by Forest City.

17 9. The Property is currently leased to the Regional Transportation Commission of
18 Southern Nevada (the “RTC”).

19 20 ⁴ All references to “ECF No.” are to the numbers assigned to the documents filed in the case as
they appear on the docket maintained by the clerk of the court.

21 22 ⁵ *See B&M Land and Livestock, LLC*, 498 B.R. 262 (Bankr. D. Nev. 2013) (holding a Chapter 7
23 Trustee appointed in a case where a debtor has a membership interest in a single-member limited
liability company automatically has the right to manage that company without the need to take
further actions to comply with state law); *see also In re Cleveland*, 519 B.R. 304, 306 (D. Nev.
2014 (“Numerous bankruptcy courts have held, and the Court agrees, that where a debtor has a
membership interest in a single-member LLC and files a petition for bankruptcy under Chapter 7,
the Chapter 7 trustee succeeds to all of the debtor’s rights, including the right to control that
entity, and a trustee need not take any further action to comply with state law before exercising
such control.”); *In re Albright*, 291 B.R. 538 (Bankr. D. Colo 2003) (holding that a debtor’s
bankruptcy filing, where the debtor was the only member of a limited liability company,
effectively assigned her entire membership interest in the limited liability company to the
bankruptcy estate, and the Chapter 7 Trustee obtained all of the rights to control management of
the limited liability company)).

1 10. The Trustee determined that she would require the assistance of a consultant with
 2 respect to ongoing negotiations with the RTC.

3 11. On July 14, 2022, the Trustee filed an *Application to Employ Alisa Nave, LLC As*
 4 *Consultant for Shelley D. Krohn, Chapter 7 Trustee, Pursuant to 11 U.S.C. §§ 327(e) and 328(a)*
 5 *and Federal Rule of Bankruptcy Procedure 2014* [ECF No. 113].

6 12. On July 28, 2022, the Court entered an *Order Granting Application to Employ*
 7 *Alisa Nave, LLC as Consultant for Shelley D. Krohn, Chapter 7 Trustee, Pursuant to 11 U.S.C.*
 8 *§§ 327(e) and 328(a) and Federal Rule of Bankruptcy Procedure 2014* [ECF No. 123].

9 IV.

10 **STATEMENT OF STATUTORY AUTHORITY FOR RELIEF SOUGHT**

11 13. 11 U.S.C. Section 330(a) states:

12 (a)(1) After notice to the parties in interest and the United States
 13 trustee and a hearing, and subject to sections 326, 328 and 329 the
 14 court may award to a trustee, an examiner, a professional person
 employed under section 327 or 1103.

15 (A) Reasonable compensation for actual, necessary services
 16 rendered by the trustee, examiner, professional person, or attorney
 17 and by any paraprofessional person employed by any such person;
 18 and

19 (B) Reimbursement for actual, necessary expenses.

20 14. 11 U.S.C. Section 503 states, in relevant part:

21 (a) An entity may timely file a request for payment of an
 22 administrative expense, . . .

23 (b) After notice and a hearing, there shall be allowed administrative
 24 expenses, . . . including –

25 (2) compensation and reimbursement awarded under Section 330(a)
 26 of this title.

27 15. 11 U.S.C. Section 331 authorizes the application for and payment of compensation
 28 or reimbursement as follows:

29 A trustee, an examiner, a debtor's attorney, or any professional
 30 person employed under section 327 or 1103 of this title may apply
 31 to the court not more than once every 120 days after an order for
 32 relief in a case under this title, or more often if the court permits, for

1 such compensation for services rendered before the date of such an
 2 application or reimbursement for expenses incurred before such
 3 date as is provided under section 330 of this title. After notice and a
 hearing, the court may allow and disburse such compensation or
 reimbursement.

4 16. This Fee Application is brought pursuant to 11 U.S.C. Sections 330(a), 331 and
 5 503(b) and Region 17 Guidelines Subsection (b).

6 V.

7 **STATEMENT RE: AMOUNT OF COMPENSATION SOUGHT TO BE ALLOWED**

8 17. This Fee Application seeks allowance of compensation as follows: (a) \$2,295.00
 9 for professional services rendered during the period from July 14, 2022, through and including
 10 September 30, 2022; and (b) reimbursement of actual expenses in the amount of \$0.00 incurred
 11 by the Firm during the period from July 14, 2022, through and including September 30, 2022.

12 18. Services rendered by the Firm are set forth in detail in the invoice attached as
 13 **Exhibit “1”** to the Nave Declaration.

14 19. Actual expenses incurred by the Firm during the Fee Application Period are also
 15 attached as **Exhibit “1”** to the Nave Declaration.

16 20. No unusual or costly expenses are listed above.

17 21. The Firm has charged customary rates for fees which are allowed by accountants
 18 in this area pursuant to 11 U.S.C. § 330.

19 VI.

20 **STATEMENT REGARDING EXPERTISE REQUIRED**

21 22. The Firm is skilled in political and public policy matters and is well equipped
 22 to assist in a transaction that involves a governmental entity, and has special knowledge which
 23 enabled the Firm to perform services of benefit to the Trustee. Specialized knowledge and skills
 24 with respect to the sale of an asset to a governmental entity and the process for obtaining approval
 25 for such a sale.

26 ...

27 ...

28 ...

VII.

STATEMENT REGARDING PAYMENTS MADE OR PROMISED
AND AGREEMENTS TO SHARE COMPENSATION

23. No payments have been made or promised to the Firm for services rendered or to be rendered in connection with this case, other than those payments described in this Fee Application.

24. No agreement or understanding exists between the Firm and any other entity for the sharing of compensation received or to be received for services rendered in connection with this case, except as permitted under Section 504(b)(1).

VIII.

CONCLUSION

WHEREFORE, the Trustee respectfully requests that this Court enter an Order: (a) granting this Fee Application; (b) approving and allowing interim compensation in the amount of \$2,295.00 and reimbursement of expenses in the amount of \$0.00 for the Fee Application Period consistent with the terms of this Fee Application; and (c) for such other relief as is just and proper.

Dated this 20th day of October, 2022.

HOUMAND LAW FIRM, LTD.

By: /s/ Jacob L. Houmand
Jacob L. Houmand, Esq. (NV Bar No. 12781)
Bradley G. Sims, Esq. (NV Bar No. 11713)
9205 West Russell Road, Building 3, Suite 240
Las Vegas, NV 89148
Telephone: 702/720-3370
Facsimile: 702/720-3371

Counsel for Shelley D. Krohn, Chapter 7 Trustee